

**SUBMITTAL TO THE FLOOD CONTROL AND WATER CONSERVATION DISTRICT BOARD
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

436B



FROM: General Manager-Chief Engineer

SUBMITTAL DATE:
August 9, 2005

SUBJECT: Eastvale MDP Line E-1
Project No. 2-0-0324; Tract Nos. 30466, -1, -2 & -3
Cooperative Agreement

Departmental Concurrence

RECOMMENDED MOTION:

Approve the Cooperative Agreement between the District, the County of Riverside and (a) James D. McCune and Richard S. Bondar as Trustees of the BM & A Inc. Retirement Trust dated September 1, 1987, and (b) Anthony P. Vernola as (i) Sole Successor Trustee of the Pat and Mary Ann Vernola Trust – Survivor's Trust, (ii) Sole Successor Trustee of the Pat and Mary Ann Vernola Trust – Marital Trust and (iii) Trustee of the Anthony P. Vernola Trust (Developers); and authorize the Chairman to execute the Agreement documents on behalf of the District.

BACKGROUND:

The Agreement sets forth the terms and conditions by which certain flood control facilities, required as a Continued on Page 2

WARREN D. WILLIAMS
General Manager-Chief Engineer

FINANCIAL DATA	Current F.Y. District Cost:	N/A	In Current Year Budget:	N/A
	Current F.Y. County Cost:	N/A	Budget Adjustment:	N/A
	Annual Net District Cost:	N/A	For Fiscal Year:	N/A

SOURCE OF FUNDS: N/A	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION: APPROVE

County Executive Office Signature

- Policy
- Consent
- Policy
- Consent
- Dept't Recomm.:
- Per Exec. Ofc.:

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condition for approval of Tract Nos. 30466, 30466-1, 30466-2 and 30466-3, are to be constructed by the Developers and inspected, operated and maintained by the District and County. The Agreement is necessary to provide for District construction inspection of the referenced facilities associated with Tract Nos. 30466, 30466-1, 30466-2 and 30466-3. Upon completion of the facilities' construction, the District will assume ownership, operation and maintenance of the mainline storm drain and interim laterals. The County will assume ownership, operation and maintenance of the associated catch basins, connector pipes, laterals and roadside ditch located within its rights of way.

The Agreement also stipulates that, upon bonding for the construction of the Line E-1 storm drain, the Developers will earn Eastvale Area Drainage Plan fee credits in the amount of \$653,376.00 and that the Developers may transfer all or a portion of these fee credits to certain nearby properties that are served by the facility.

County Counsel has approved the Agreement as to legal form and the Developers have executed the Agreement. This matter is also on the County's Board Agenda for approval this same date.

The Developers are funding all construction and construction inspection costs. Future operation and maintenance costs will accrue to the District.

MHW:JPS:bjj